

City of Annapolis
Alcoholic Beverage Control Board
November 7, 2012

The Regular Meeting of the Alcoholic Beverage Control Board of the City of Annapolis was held on November 7, 2012 in the City Council Chamber. Chair Leonard Berman called the meeting to order at 7:10 p.m.

Present: Chair Leonard Berman, Vice Chair Lawrence Harris, Jr, Members Catherine Shultz, Valerie Miller, Mike Miron

Staff: Assistant City Attorney Gary Elson

Member Miller moved to approve the Journal of Proceedings of October 3, 2012. Seconded. CARRIED on voice vote.

DISCIPLINARY HEARINGS

• **ANNEBETH'S**

Infraction Citation No.0436, Sales to underaged persons.

The charges were not disputed by the establishment.

Sgt. Eric Crane, Detective Ricky Truitt, Detective James Reid, Annapolis Police Department and Maryland State Police Cadet Soares were present.

Having stipulated to the facts, the licensees waived their right to hear charges presented by Sgt. Crane.

Licensees, Gerald Edward Bunker and Annebeth Kristin Bunker were present and answered questions by the Board.

Server, Gabriella Alexandra Frerotte was present and addressed the Board.

• **CAFÉ NORMANDIE**

Infraction Citation No.1890, Sales to underaged persons.

The charges were not disputed by the establishment.

Sgt. Eric Crane, Detective Ricky Truitt, Detective James Reid, Annapolis Police Department and Maryland State Police Cadet Ditoto were present.

Having stipulated to the facts, the licensees waived their right to hear charges presented by Sgt. Crane.

Licensees, Jean-Louis Evennou and Suzanne Evennou were present and answered questions by the Board.

Licensee, Richard Breza was not present.

Server, Nathan Donpino was present and addressed the Board.

- **CAPITAL LIQUORS**

Infraction Citation No.1896, Sales to underaged persons.

The charges were not disputed by the establishment.

Sgt. Eric Crane, Detective Ricky Truitt, Detective James Reid, Annapolis Police Department and Maryland State Police Cadet Soares were present.

Having stipulated to the facts, the licensees waived their right to hear charges presented by Sgt. Crane.

Licensee, IL Sung Lee was present and answered questions by the Board.

Licensee, David E. Lord was not present.

- **INDIA'S**

Infraction Citation No.1889, Sales to underaged persons.

The charges were not disputed by the establishment.

Sgt. Eric Crane, Detective Ricky Truitt, Detective James Reid, Annapolis Police Department and Maryland State Police Cadet Ditoto were present.

Having stipulated to the facts, the licensee waived their right to hear charges presented by Sgt. Crane.

Licensee, Suraj Kumar was present and answered questions by the Board.

Server, Mansoor Kasar Bhatti was not present.

- **LIGHTHOUSE WINE & SPIRITS**

Infraction Citation No.1895, Sales to underaged persons.

The charges were not disputed by the establishment.

Sgt. Eric Crane, Detective Ricky Truitt, Detective James Reid, Annapolis Police Department and Maryland State Police Cadet Soares were present.

Having stipulated to the facts, the licensees waived their right to hear charges presented by Sgt. Crane.

Licensees, Claude William Middleton and Mee Young Kim and were present and answered questions by the Board.

Licensee, John Chongdae Kim was not present.

Server, Hsin Chih Tseng was present and addressed the Board.

- **SCOTT BROTHERS**

Infraction Citation No.0450, Sales to underaged persons.

The charges were not disputed by the establishment.

Sgt. Eric Crane, Detective Ricky Truitt, Detective James Reid, Annapolis Police Department and Maryland State Police Cadet Soares were present.

Rex S. Caldwell, III, attorney for the licensees, 1610 West Street, Annapolis, Maryland 21401 on behalf of the licensees having stipulated to the facts, waived their right to hear charges presented by Sgt. Crane.

Licensees, Jonathan Hodgson, Nitin Patel and Kinjalben Patel were present and answered questions by the Board.

Server, Adair Thomas Howie was not present.

Chair Berman declared the disciplinary hearing closed.

BUSINESS AND MISCELLANEOUS

- **FOX'S DEN**

Request three (3) month extension of time to pick up the Fox's Den-American Craft Gastropub liquor license for the period starting December 1, 2012 to March 1, 2013.

Licensees, Chris Fox and Brian Vincent presented the request and answered questions addressed by the Board.

Member Miller moved to approve an extension for picking up the license is granted until March 1, 2013. Seconded. CARRIED on voice vote.

- **TCS ANNAPOLIS HALF MARATHON – December 1, 2012**

Request for Special Class C, One Day liquor license at the Navy-Marine Corps Memorial Stadium during the half marathon post race charity event.

Applicants, Craig Harrison and Lisa Fontaine were present and answered questions addressed by the Board.

Member Miron moved to approve the application for a Special Class C, One Day liquor license to ANNAPOLIS HALF MARATHON at the Navy-Marine Corp Stadium on December 1, 2012. Seconded. CARRIED on voice vote.

- **MARYLAND HALL FOR THE CREATIVE ARTS** – November 13, 2012

Request for Special Class C, One Day liquor license during special event concert.

No one from Maryland Hall for the Creative Arts attended.

Vice Chair Harris moved to approve the application for a Special Class C, One Day liquor license to MARYLAND HALL FOR THE CREATIVE ARTS during a special concert event on November 13, 2012. Seconded. CARRIED on voice vote.

- **ANCIENT CITY LODGE** – December 8, 2012

Request for Special Class C, One Day liquor license with consumption of alcoholic beverages on City property at the Stanton Community Center.

Applicant, Verna P. Bean was present and answered questions addressed by the Board.

Vice Chair Harris moved to approve the application for a Special Class C, One Day with consumption of alcoholic beverages on City property to ANCIENT CITY LODGE at the Stanton Community Center on December 8, 2012. Seconded. CARRIED on voice vote.

- **AMERICAN LEGION COOK-PINKNEY POST 141** – Special Event

Request for Club event open to the public during a Crab Feast fundraiser event on November 17, 2012.

Licensees, Reginald Jones and Marion Wells were present and answered questions addressed by the Board.

Vice Chair Harris moved to approve the 2nd request for a Club event open to the public for the American Legion Crab Feast fundraiser event from 2:00 p.m. to 8:00 p.m. on November 17, 2012. Seconded. CARRIED on voice vote.

- **STAN AND JOE'S** – Special Event

Request an extension of licensed premises during a fundraiser event in the adjacent private parking lot on December 15, 2012 to benefit two local charities.

Licensee, Joe McGovern was present and answered questions addressed by the Board.

Member Miron moved to approve the request for an extension of licensed premises during a special event, to include the adjacent parking lot from 12 noon to 6:00 p.m. on December 15, 2012. Seconded. CARRIED on voice vote.

- **ABCB RULES AND REGULATIONS**

Proposed amendment to City of Annapolis Alcoholic Beverage Control Board Rules and Regulations 2.08, *Effective Date of License*.

Member Miller moved to approve as amended the City of Annapolis Alcoholic Beverage Control Board Rules and Regulations 2.08, Effective Date of License:

*An applicant for a new license may state the effective date of a license and the business licensed shall commence operation within six months of that date. If the applicant has not specified an effective date, the effective date shall be deemed to be the date of approval by the Board (Sec. 7.12.160). If ~~the applicant~~ does not commence operation within that time, the license shall expire. ~~provided~~, However, upon written application of the licensee received prior to the expiration and ~~with~~ *in* sufficient time to give consideration before the expiration, the Board may, in its sole discretion, *and for good cause shown*, extend the license for an additional ~~three~~ *six month period of time, not to exceed a total of two extensions*. Seconded. CARRIED on voice vote.*

ACTION ON DISCIPLINARY HEARING

- **ANNEBETH'S**

Infraction Citation No. 0436, Sales to underaged persons.

Vice Chair Harris moved that the facts presented at the hearing on November 7, 2012 warrant a violation as charged. Seconded. CARRIED on voice vote.

Member Miller moved to impose a fine for this violation of \$750. Seconded. CARRIED on voice vote.

- **CAFÉ NORMANDIE**

Infraction Citation No. 1890, Sales to underaged persons.

Vice Chair Harris moved that the facts presented at the hearing on November 7, 2012 warrant a violation as charged. Seconded. CARRIED on voice vote.

Vice Chair Harris moved to impose a fine for this violation of \$750. Seconded. CARRIED on voice vote.

- **CAPITAL LIQUORS**

Infraction Citation No. 1896, Sales to underaged persons.

Vice Chair Harris moved that the facts presented at the hearing on November 7, 2012 warrant a violation as charged. Seconded. CARRIED on voice vote.

Member Miller moved to impose a fine for this violation of \$500. Seconded. CARRIED on voice vote.

- **INDIA'S**

Infraction Citation No. 1889, Sales to underaged persons.

Vice Chair Harris moved that the facts presented at the hearing on November 7, 2012 warrant a

violation as charged. Seconded. CARRIED on voice vote.

Member Shultz moved to impose a fine for this violation of \$500. Seconded. CARRIED on voice vote.

- **LIGHTHOUSE WINE & SPIRITS**

Infraction Citation No. 1895, Sales to underaged persons.

Vice Chair Harris moved that the facts presented at the hearing on November 7, 2012 warrant a violation as charged. Seconded. CARRIED on voice vote.

Member Miller moved to impose a fine for this violation of \$1,000. Seconded. CARRIED on voice vote.

- **SCOTT BROTHERS**

Infraction Citation No. 0450, Sales to underaged persons.

Member Miller moved that the facts presented at the hearing on November 7, 2012 warrant a violation as charged. Seconded. CARRIED on voice vote.

Vice Chair Harris moved to impose a fine for this violation of \$500. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting adjourned at 8:30 p.m.

Theresa Bucalo, CMC
Deputy City Clerk